

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
Appellate Case No. 2011-202946

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

Rivers Lawton McIntosh, Circuit Court Judge

Alexander S. Macaulay, Circuit Court Judge and Trial Judge

Civil Action No.: 2005-CP-37-00788

Tri-County Development, Inc. and
Melinda Holbrooks,..... Respondents.

v.

Christopher A. Pierce,..... Appellant.

Christopher A. Pierce, Third Party Plaintiff,

v.

Jeff Gray..... Third Party Defendant.

AND

Tri-County Development, Inc. and Melinda Holbrooks,..... Respondents,

v.

Christopher A. Pierce,..... Appellant

SUPPLEMENTAL RECORD ON APPEAL

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The Court: You have got a default judgment. They tried to get out of the default judgment and Judge Maddox later said, "No, you can't."

Mr. Pierce: Right.

The Court: So, what are you asking me to do?

Mr. Pierce: What happened last year was, Judge Macaulay then vacated the entry of default. And basically, yes, my entry of default was vacated and so I lost my entry of default. So what I am asking you to do in this motion ---

The Court: Wouldn't that be interlocutory?

Mr. Pierce: Actually I thought it was and I filed with the appeals Court and it was refused.

The Court: As being interlocutory?

Mr. Pierce: Yes, it didn't meet their qualifications.

The Court: So you are asking me to go back and change Judge Macaulay's Order vacating amnesty put you back in default?

Mr. Pierce: Yes that is what I am asking. And ---

The Court: I don't think I can. Let me just tell you this. I don't think I have the authority to change Judge Macaulay's Order, number one. Even if it is interlocutory you have an obligation to go back and ask him to reconsider it and it may get denied or somewhere along those lines but not to come back to me or a different Judge and say, "Well, I am just going to throw out Judge McCaulay's order -- I am be incorrect Mr. Pierce but I think I am not. I am going to deny your motion. I am going to hand you back these filed Orders --

Mr. Pierce: Okay.

The Court: As far as your Motion for Relief from Judgment, you are asking me to change Macaulay's order or reverse the order, vacating his prior order granting a default. I am denying that motion .

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CERTIFICATE OF COUNSEL

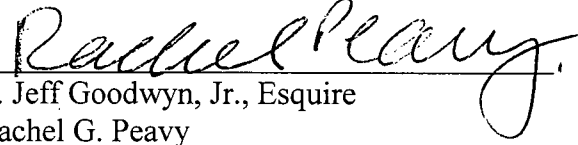
The undersigned hereby certifies that this Supplemental Record on Appeal contains all materials proposed to be included by any of the parties and not any other material.

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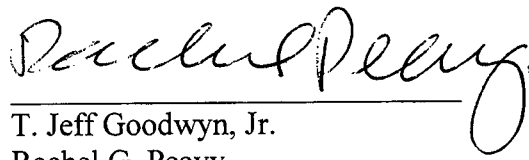
Christopher A. Pierce,.....Appellant

PROOF OF SERVICE

I certify that I have served the **Supplement Record on Appeal** on Thomas E. Dudley, III, Esquire, Counsel for the Respondents at the address below by depositing a copy of same in the United States Mail, postage prepaid, on August 13, 2014.

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